

Message

From: Bohan, Suzanne [bohan.suzanne@epa.gov]
Sent: 11/16/2018 12:34:32 AM
To: Benevento, Douglas [benevento.douglas@epa.gov]
CC: Thomas, Deb [thomas.debrah@epa.gov]
Subject: RE: For Review: Draft Weekly Report
Attachments: R8 Weekly 11-15-2018.docx

Thanks Doug.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

City of Colorado Springs Found to be in Violation of its MS4 Permit in United States et al. V. City of Colorado Springs

Key Message: On November 9, 2018, the United States District Court for the District of Colorado ruled that the City of Colorado Springs violated its Clean Water Act Municipal Separate Storm Sewer System Permit by:

- 1) Granting waivers for permanent stormwater controls at a residential development that did not meet permit requirements;
 - 2) Failing to provide adequate oversight and enforcement at an active construction site; and
 - 3) Approving the design and installation of an Extended Detention Basin that did not meet permit requirements, and consequently failed to ensure adequate long-term operation and maintenance of this Extended Detention Basin.
- The Court found violations at each of the three exemplar sites that were the subject of the trial. This is the first such case to be tried before a District Court, and will serve as an important precedent to other municipalities.

From: Benevento, Douglas
Sent: Thursday, November 15, 2018 3:57 PM
To: Bohan, Suzanne <bohan.suzanne@epa.gov>
Cc: O'Connor, Darcy <oconnor.darcy@epa.gov>; Smidinger, Betsy <Smidinger.Betsy@epa.gov>; Moon, Diane <Moon.Diane@epa.gov>
Subject: RE: For Review: Draft Weekly Report

This is good.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks for filling in Suzanne.

From: Bohan, Suzanne
Sent: Thursday, November 15, 2018 3:31 PM
To: Benevento, Douglas <benevento.douglas@epa.gov>
Cc: O'Connor, Darcy <oconnor.darcy@epa.gov>; Smidinger, Betsy <Smidinger.Betsy@epa.gov>; Moon, Diane <Moon.Diane@epa.gov>
Subject: For Review: Draft Weekly Report

Doug –

Attached is the draft weekly report. I'm copying Darcy and Betsy so they can review the OWP and EPR topics I've included. Please let me know if there are any other matters you would like me to include.

Thanks,
Suzanne

Suzanne J. Bohan
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